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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/885,634	06/20/2001	Andrew Rouse	23452-131	4537
29315	7590	12/14/2004	EXAMINER	
MINTZ LEVIN COHN FERRIS GLOVSKY AND POPEO PC 12010 SUNSET HILLS ROAD SUITE 900 RESTON, VA 20190			COULTER, KENNETH R	
			ART UNIT	PAPER NUMBER
			2141	

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Continuation of Attachment(s) 6). Other: IDS 10/28/03; 2/20/04;4/28/04;8/27/04.

Office Action Summary

Application No.

09/885,634

Applicant(s)

ROUSE ET AL

Examiner

Kenneth R Coulter

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6/20/01; 10/1/02</u> . | 6) <input checked="" type="checkbox"/> Other: <u>See Continuation Sheet</u> . |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 – 36 are rejected under 35 U.S.C. 102(e) as being anticipated by Halahmi (U.S. Pat. No. 6,684,088) (System and Method for Displaying Electronic Mail Messages on a Low Bandwidth Device).

2.1 Regarding claim 1, Halahmi discloses a method of operating an e-mail application via networkable media in a wireless client device, comprising the steps of:

(a) selecting at least one e-mail option for execution on the wireless client device (col. 4, lines 30 – 35; col. 4, lines 55 – 60 “More preferably, if the e-mail message is too large to be displayed at once on the display device, then the e-mail message is divided into portions, most preferably after being converted to the suitable format. The user my then optionally select any portion for being displayed.”); and

(b) using the e-mail application to communicate transmissible media content via a wireless medium based on the at least one e-mail option (Abstract; Figs. 1, 2; col. 4,

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lines 30 – 35, 55 – 60)

2.2 Per claim 2, Halahmi teaches the method of claim 1, further comprising the step of:

(c) selecting at least one of a view option, a sort option, a compose option, a fax option, a forward option, a reply option, a private option, multiple view option, a search option, and a confirmation option (col. 4, lines 30 – 35 “The present invention is operative with any e-mail protocol, ..., for sending (or **forwarding**) e-mail messages.”; col. 3, lines 11 – 22; col. 5, lines 13 – 16; col. 7, lines 43 – 45 “IMAP4 has the advantage of supporting commands such as ‘**SEARCH**’, which enable the e-mail server to return only e-mail messages of interest ...”).

2.3 Regarding claim 3, Halahmi discloses the method of claim 1, further comprising the step of:

(d) communicating via at least one of a Bluetooth protocol, a Wireless Application protocol, a Global System Mobile protocol, and a Wireless Markup Language protocol (col. 5, lines 23 – 35 “the present invention is explained with regard to **WAP** and a WAP-enabled device”; col. 1, line 60 – col. 2, line 2 “WAP-enabled devices are able to receive and display documents written in **WML**, thereby enabling such devices to display Web pages which are written in WML ...”).

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2.4 Per claim 4, Halahmi teaches the method of claim 1, further comprising the step of:

(e) presenting the transmissible media content to a user according to at least one presentation option (col. 4, lines 55 – 60 “More preferably, if the e-mail message is too large to be displayed at once on the display device, then the e-mail message is divided into portions, most preferably after being converted to the suitable format. The **user my then optionally select any portion** for being displayed.”).

2.5 Regarding claim 5, Halahmi discloses the method of claim 4, further comprising the step of:

(f) presenting the transmissible media content in a quick view format (col. 4, lines 55 – 60 “More preferably, if the e-mail message is too large to be displayed at once on the display device, then the e-mail message is divided into portions, most preferably after being converted to the suitable format. The **user my then optionally select any portion** for being displayed.”).

2.6 Per claim 6, Halahmi teaches the method of claim 4, further comprising the step of:

(g) presenting the transmissible media content according to at least one user selected criteria comprising at least one of date, subject and author (col. 8, lines 16 – 26 “**For example**, the user could request to see only the **identity of the sender** and the **subject** of the e-mail message.”).

2.7 Regarding claim 7, Halahmi discloses the method of claim 1, wherein the transmissible media content comprises at least one of e-mail data, memo data, address data, and search data (Figs. 1, 2; col. 1, lines 20 – 30 “users have demanded that cellular telephones receive **many different types of multimedia data**, including **e-mail** (electronic mail) messages and Web pages.”; col. 7, lines 43 – 45 “IMAP4 has the advantage of supporting commands such as ‘**SEARCH**’, which enable the e-mail server to return only e-mail messages of interest ...”).

2.8 Per claim 8, Halahmi teaches the method of claim 1, further comprising the step of:

(h) communicating the transmissible media content from a data source remote from the wireless client device (Fig. 1; col. 1, lines 42 - 59).

2.9 Regarding claim 9, Halahmi discloses the method of claim 1, wherein the transmissible media content comprises content formatted according to at least one of SMTP, POP, and IMAP (Abstract “The system and method are operative with **any e-mail protocol**.”; col. 2, lines 66 – 67 “The present invention is operative with any e-mail protocol.”; col. 4, lines 30 – 41 “**SMTP**” “**IMAP4**” “**POP3**”).

2.10 Per claims 10 – 36, the rejection of claims 1 – 9 (paragraphs 2.1 – 2.9 above) under 35 USC 102(e) applies fully.

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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth R Coulter whose telephone number is 571 272-3879. The examiner can normally be reached on 5 4 9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

krc

KENNETH R. COULTER
PRIMARY EXAMINER
